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THE DEFENCES OF ENGLAND.

NINE LETTERS.

BY A JOURNEYMAN SHOEMAKER.

EIGHT LETTERS BEFORE THE AFFAIR OF THE "TRENT."
ONE LETTER AFTERWARDS.

LONDON :
ROBERT HARDWICKE 192, PICCADILLY, W.
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NOTICE.

THE origin of these letters having been questioned, it has been deemed advisable to state that they are written by A. SMITH, 1, *Salford-street, Nottingham*, and were originally printed in the *Nottingham Weekly Times*.

A writer on International Law has said of them :—

“The only attempt to deal with the Right of Search on its merits has proceeded from a journeyman shoemaker. The perusal of his letters brought home to me the maxim laid down by COBBETT in his French Grammar :—‘ You must not sit down to think what you shall write, but to write what you have thought.’ ”

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THE DEFENCES OF ENGLAND.

THE DANGER NOT FROM STEAM.

August, 1861.

DURING a very short period a change has come over the nation, no less remarkable than this,—It has transformed itself from a great naval to a small military power, and accepted for all future time the risks and chances of conflict with its foes upon its soil. England is differently situated with regard to invasion from every other country. Its geographical position, the absence of internal obstructions to the movements of an enemy, the extent to which the people depend on manufactures and commerce, and an artificial system of credit, and even for their daily bread upon foreign supplies of flour and grain, combine to create a terrible peculiarity of weakness in its condition. As no foreign country touches British territory on any side, it is liable to invasion on all sides at once, by any Power able to cross the seas. Once landed, an enemy would not find mountains, marshes, deserts, or fortifications; but everywhere roads, houses, forage, supplies, water, wealthy and unfortified towns and cities. *London itself can be assaulted at Newcastle; Manchester*, in spite of the assertions of Lord Palmerston, can be captured at Liverpool. As the country itself does not grow sufficient subsistence for the inhabitants, we must reckon famine among the possible consequences of invasion.

Even victory may not redeem from ruin. But it does not follow from all this that steam navigation has placed us at the mercy of France. An appalling change, however, *has* taken place in our position, for though it is not true, as is pretended, that steam has laid us prostrate before Napoleon, it is true that an English diplomatist has. I will therefore take the liberty of calling the attention of your readers to the consequences of the unauthorised surrender of the Right of Search by the Earl of Clarendon, at the Paris Conference of 1856.

ATTACK IS THE DEFENCE OF ENGLAND.

“England must maintain the right of search, while she has a man, a ship, or a shilling.”—*Lord Nelson*.

“The neutral flag covers enemies’ goods.”—*Declaration of Paris*, April 16, 1856.

Nations are on land; it is their *resources* that are at sea. Maritime warfare chiefly consists in the attack on their resources on

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one side, and their defence upon the other. If they are delivered from the consequences of this attack, such warfare can scarcely exist; fleets will be of comparatively little use.

For not allowing these resources to be protected by the neutral flag, there are sufficient reasons in the nature of the case. To those natural reasons, which from time immemorial led to what is called the Right of Search, the insular position of England, added, for her, one reason more. England's defence consists in attack, in other words, it was because she found this method available that she scarcely possessed any other; that our towns were kept unfortified, our army small, and our people untrained. We attacked everything the enemy had at sea; not only war ships, but those merchantmen by whose profitable commerce they were built, for whose protection they were created, and by whose crews they were manned. By thus acting at sea, we made the effect of war felt upon the land; we could also do a great deal towards preventing the collection of any very large fleet of transports, and thus arrest the most incipient design of an invasion. The basis of our position in all this was the Right of Search. England would have been endangered immediately, had we allowed neutrals to do for the enemy what we would not allow the enemy to do for himself.

The difference between destroying and permitting an enemy's trade may be seen by comparing the former and the late wars with Russia. In the former we exercised the Right of Search, and by closing to her trade the Dardanelles and the Sound, did all mischief to her, while she could do none to us. In the latter, foregoing this right, we became merely a contemptible military power, opposed to a mighty one, and what sort of a figure should we have presented had we not had France by our side?

It is with the consequences, as against France, of the loss of this right that we have more immediately to deal. Against this latter Power, the change in question has endangered England, just as against Russia it has endangered India. When war arises between the two countries, the one which has the greatest momentum will attack the other. This momentum taken from the fleets of England, becomes transferred to the armies of France. When trade on both sides is free, nothing remains to attack but territory; and while France will have no English trade to assault, neither will she be troubled with the defence of her own; with her hands free from encumbrance, and her resources secure from harm, she will be able to lend all her mind, and devote all her power, to that crowning work of her hatred, her cupidity, and ambition, the landing of an overwhelming host upon British shores.

It must be remembered that the benefits of blockade are lost. For, just as Russia during the war carried on her commerce by

the river and Prussian port of Memel, so would France be able to continue her trade through the ports and railways of neighbouring States, even if we could keep her own harbours in a state of effective blockade. Now, if our means of injuring France are gone, it follows further that we cannot make war against her, but must let her have her will. She is already mistress of her ancient rival. Victoria has become an attendant on Napoleon's triumphal car, and Englishmen are already slaves. To this condition, sir, we have been reduced by the stroke of a pen, but we have to thank God that, at present, a woman at least stands between us and ruin. The Queen having till now withheld her ratification from her servant's act, it is possible to demand, from the Continent, release from its obligations; but to this release one preliminary condition is essential, which is this: That for the sake of our laws, our liberties, and our lives, we have the spirit to deal as becomes men with that unauthorised Servant of the Crown, who, whether he designed it or not, has betrayed them all.

ENGLAND IN THE TWENTIETH CENTURY.

"An industrious, and upon that account a wealthy, nation, is of all nations the most likely to be attacked."—*Adam Smith*.

"The true fortification of England is always to be in a position to strike the first blow at sea, the moment it may become necessary. To be unprepared for it, would be national suicide."—*Life of Lord Dundonald*, vol. i. page 60.

When that New Zealand traveller of a future day, who has been so often anticipated taking his seat on a broken arch of London Bridge, to sketch the ruins of St. Paul's, shall have finished his drawing, he will perhaps lay aside the pencil to read the following passage in the next and last volume of the History of England :

"The character of the English people was wholly changed. They, whose former maxim was 'no wrong without a remedy,' had been willing participants in the greatest injustice to themselves, and the grossest crimes against other nations. Their rulers had adopted and they had sanctioned the most suicidal of courses. At the moment of their relative naval inferiority, they had multiplied their enemies, and broken down their character with their defences. They had not only *sanctioned*, but *perpetrated* piracy, and this exposed them to what they dreaded most—a sudden attack without the warning of a declaration. In the Russian war they had quietly suffered transformation from a naval to a military power, and then buried their magnificent army in the Crimea. At the peace they allowed the suspension of the Right of Search to be consummated by its surrender, and applied the

epithets philanthropy and progress to the daring proceedings of the Earl of Clarendon.

It was on this wheel they were to be broken. "The same evil genius that presided over this first step prevailed also over their subsequent precautions for their preservation. They prepared passively for the desperate task of defence within, instead of rising as one man to recover their means of acting on an enemy without. They even supported the efforts of Lord Palmerston to extend still further the new maritime code, and for the sake of more 'progress,' and the shipping interest, they exempted all the private property of enemies, ships and cargoes alike, from capture at sea.

"Napoleon III., to convey the first division of his troops, engaged vessels from all nations. From Belgium, Holland, and Denmark, from Sweden, Russia, and Spain, from Italy, Turkey, and Egypt, he drew navies of transports, which received a mixed freight of merchandise and men. With squadrons of these judiciously mingled, he made his first rapid dash at British shores, his own fleets in the mean while diverting attention and occupying the enemy. It was now that the English fully awoke to the unutterable horror of the gulf into which they had fallen; but the time was long past to reverse the Declaration of Paris by the disavowal of the transaction, and the punishment of its Author, and no course remained but to cast it to the winds. This was resolved upon without delay. England fired on the vessels that poured the soldiers of France upon her shores, issued orders to seize enemies' goods under every flag, and prepared, in further derogation of law, to turn the merchantmen into privateers. But it was all too late, the hour of fate had struck. In the midst of her fury, preparation, and dismay, the sea was suddenly covered with the insulted flotillas returning from the ports of their own States, not now as neutrals, but as belligerents, and no longer with the armies of France, but their own. The Armed Neutrality in which the cunning and active Power that was enthroned upon the Neva had once banded Europe against England's Right of Search, when that right was an acknowledged part of the law of nations, had been revived in the shape of bitter hostility, by its assertion and enforcement, when it had been wholly blotted from the code of public law. Both the freedom of the seas and the humiliation of England had come to be objects now. England excited cupidity by her wealth and her colonies, hatred by her free institutions, fear by the lawless use she had made of her power, contempt by her easy surrender of her maritime rights, and the most unbounded fury by her resumption of them when her folly had brought her to the edge of doom. Accordingly, the States of the Baltic, including Russia, combined with those of

the North Sea and the Mediterranean to join with France in pouring their converging armies over those shores that seemed now the chosen battle-field of Armageddon: over the land sacred for centuries to freedom of speech and action, the devoted asylum of prosperity and repose, but now brought by its people to the struggle with fate by their neglect of the keystone of freedom—knowledge of their affairs, and the due enforcement of their laws.”

This, sir, is *one* of various shapes the narrative may take. The New Zealander when he has read it, will perhaps have to reflect that, in consequence of this neglect he was not born a freeman, but a subject of the despot of either France or Russia. What will be his feelings towards the Englishmen of the present day?

HOW THE PEOPLE CAN BREAK THE DECLARATION OF PARIS.

“The day will come when the country will have cause to wring its hands in consequence of your acts, and then we shall know on whose head to visit the decline and fall of British maritime ascendancy.”—*Earl of Derby in the House of Lords.*

When Lord Palmerston “conspired with foreign Powers to change the laws of England,” he did at least adopt a regular method of proceeding. He brought into the House of Commons the Conspiracy Bill, asked that the power that made the laws should reform them in the usual way—and fell amid the indignation of the people. But when by a like conspiracy, attended with very unlike proceedings, the axe was laid at the root of our national greatness and independence by the Earl of Clarendon, no cry arose, no resentment echoed from end to end of England, neither the change nor the manner of it stirred the country from its apathy; and the Minister who had ruined the nation retained its confidence.

To understand the legal and political nature of this transaction, is at this moment the greatest necessity pressing upon England. Lord Clarendon, it must be proclaimed, had *no authority*. Moreover, the right of search and privateering, of both which he chose to sign a decree of abolition, are as old as the laws of England, and are in fact a part of the common law. Hence it was not on the Queen only that a simple Peer turned his back, but by the same act he ignored also the existence of both Houses of Legislature. He constituted himself the sole authority in England on a question on which even the regular powers would have been bound, before acting, to consult the nation. It was not a mere case of passing a Conspiracy Bill, which, whatever its character or effects, could be repealed as promptly as enacted, and by the same power. But it was a deed binding this nation in engagements with every other, in a sense utterly fatal to its interests and be-

yond its power to recal, except by first taking that step it became for this reason imperatively bound to adopt—the condign punishment of the Ambassador who usurped more than the functions of his Queen.

I have shown already the utterly destructive character of this act to our maritime power, and the more than appalling consequences we have to apprehend from fighting our battles in our streets. I have also shown what may follow if the engagement, allowed to remain too long uncanceled, is at last violated when it cannot be revoked, and I would speak as if with the voice of that trumpet which is ready now to sound the fate of England, to tell my country that amid its supineness and its confidence the hour has come when death or life is with it a question of Impeachment. Every hour narrows the space that parts us from our doom; and no action can be too quick to get rid of the infatuation that has led a generation of Englishmen to make to France the astounding present of our naval power. The Continent will not give back of itself, and will not return for asking, the unsought advantage so thrust upon it; but it will return again to our possession without even the formality of a request, when we have avenged on the head of the Author of our disaster the law that he has broken and the country he has betrayed.

Sir, it is in the power of the people in this momentous question to anticipate the tardy action of the Parliament. In the British soil lie the roots of old institutions, which, if known and quickened by the genial showers of patriotism, will bestow on England more powers than are hoped from the suffrage and the ballot. The helplessness of individual patriotism, the curse of our day, was unknown in the olden time to the fathers of the Constitution. Twice every year among our ancestors the sheriffs of England held their usual *tourn*. In every hundred before the sworn jury of Court Leet, the humblest inhabitant possessed of evidence of guilt could bring against the highest in the land the accusation of crime, even if that crime bore the character of treason. If satisfied by the evidence, a presentment was made by the court and forwarded to the King's Bench by the magistrates of the place. At that tribunal the unknown patriot could bring the proudest criminal face to face with the majesty of the law of England. To revive this priceless power for use in the present circumstances is still competent to the country. Wherever a Court Leet has *not* sat since the 16th of April, 1856, it is possible for it to sit to take the first steps of vengeance for the Declaration of that day. In the hands of the sheriffs of England resides her safety if England has only soul to demand that safety from the sheriffs.

NO PRIZE MONEY. NO SAILORS.

I beg to draw the attention of the public to a piece of impudent imposture now being practised on the inhabitants of this town in the name of the Crown.

The Royal Marines being in want of a few "lads," the authorities have sent down a recruiting party, who exhibit on the Longrow a handbill, tempting unwearied youths to enlist by the alluring chance of making "a rapid fortune by prize-money." It results, sir, from that Declaration of Paris to which a few weeks back I strove to draw the attention of your readers, that all the private property of an enemy—with the exception of contraband of war—may be rescued from its liability to become prize by being carried on board neutral ships. Lest this should leave a chance of a few struggling prizes in the earlier part of the war, before sufficient neutrals can be engaged, we have the efforts of Lord Palmerston and Mr. Cobden to abolish the seizure even of enemies' ships as well as goods, and thus reduce to the very lowest minimum the chance of a prize—already too low to afford much prospect of a "fortune."

I can recal, sir, some words of Adam Smith, relative to the superior willingness with which parents part with their sons to the navy compared with that with which they part with them for the army. Everybody, he says, can see some chance of the youth making something by the one (the navy), but nobody but himself can see any chance of his making anything by the other. It may, sir, render insurmountable the objections of parents to their sons entering the naval service of the Queen, and it may even create like objections in the bosoms of youths themselves, otherwise willing for that service, to tell them that prize-money is no more, and the offer of it a snare; nevertheless, if the fact is so, I am not responsible, and there are the very strongest reasons for making it universally known.

As such a statement as the one that has led me to write can be thus coolly made through the Marines, it is not unlikely it can still be made to them. The authorities who have caused the issue and ordered the exhibition of this handbill knew well enough of the recent changes in maritime law, but it is possible the recruiting party they have sent down are yet unaware of the arrangement that is to confine the operations at sea to armed vessels without giving them any rich captures in return. That is, supposing armed vessels will come out to fight when no longer required for the protection of their trade—a course of which Russia did not set them the example in the late war. It may never have come to the knowledge of these men, or their comrades, that in 1856 a Servant of the Crown, sent to Paris for a

very different purpose, betrayed the country they are ready to fight for, and the Queen they doubtless love, by engaging in the name of that Queen and that country that henceforth their fleets should be harmless to the trade of an enemy, provided that trade were carried on under the protection of neutral flags.

The discovery which may have been reserved to this late hour for the Marines, it is proper should be made by the youth of the country before they enlist. Let them know that sea warfare has been made more dangerous and less profitable, that the work chiefly remaining for them will be to oppose the fleets and transports of France in their descent upon their native shores, and that in this work the volunteers afford a hundred and fifty thousand proofs they are expected to be unsuccessful. Instead of being gloriously and lucratively employed in crippling the enemy through his trade, they may have to be landed to be present at the conflagration of their native towns, the slaughter of their parents, and the ravishing of their sweethearts and sisters. There is ample ground here, sir, for a universal refusal to enlist until our maritime rights are restored, and I submit the propriety of the authorities of the town at least requiring the erasure, from the recruiting handbill, of the false and deceitful line relating to prize-money, and informing recruits who may have been already obtained, that they have been allured by false pretences. This they may do, at least, if they are too spiritless to petition Queen and Parliament to take the requisite steps to recover our means of defence, and to rouse the borough to resolute exertions directed to the same end.

WAR CANNOT LAWFULLY BE WAGED BY PRIVATE PERSONS.

“If there were not a state of war with China, the aspect of the case was fearful indeed, for without a declaration of war any man who put an end to the life of a Chinese was, by statute, guilty of murder.”—*Sir J. Graham, House of Commons, Aug. 17th, 1860.*

However devoutly it might be wished that the men who have destroyed our maritime power neither would nor could do us further injury, it remains our unfortunate lot to be capable of being exposed to still more peril, while these men on their part are fully capable of exposing us.

That course of piracy which was begun in Central Asia, and in China, when England was the strongest of nations, has been renewed there since England became the weakest of empires, and since in this case, as in the other, we have to lament a fall of the people as well as of the Government, to the people I beg to address a demonstration of the absolute necessity of respecting the established laws of war.

If, sir, the policeman who was sent to arrest the Walkeringham

murderer had hung him on his own authority on the next tree, every man would have seen that the justice of the act formed no excuse for the crime. Laws, and courts for their administration, are established, that justice may be secure by being dispensed by regular and supported authorities, and prevented from degenerating into cruelty by being administered according to rule. For a private individual to take this work out of the hands of these authorities, or to administer laws of his own, would be in principle to destroy this establishment, and cast the country back to nature and anarchy. Thus while Fenton only murdered Spencer, the policeman would, on this supposition, have assassinated society. It is clear that if a foreigner, say a Frenchman, had come to England for the same purpose, the consequence would have been the same, and that the unauthorised execution of Fenton must have been treated, not as an execution, but as murder. If twenty or a thousand Frenchmen had been concerned, the act would have been equally punishable, and it must have been punished as something morally *wrong*, and which *ought* not to be done. The case would not be altered if the thousand Frenchmen had come to retaliate on British soil some injury done to French subjects or insult offered to the French flag. Supposing that no laws already existed for the punishment of enterprises of this sort, nothing is easier than to prove the imperative necessity that would arise for making them. These petty wars would not be confined on either side to justice, but not being regulated by law, would be governed by passion. Sea and shore would swarm with pirates, and anarchy and plunder would replace commerce and peace. Besides, if French subjects could thus do as they pleased with British ones, British subjects would soon begin to do as they pleased with each other, and both nations would learn to their cost, that law without is the only possible basis of law within, and that the only way to prevent private persons from doing endless injustice, is to make it a crime for them to administer justice itself.

Sir, the task of the present hour is not to deplore the absence of such laws, but to deprecate their overthrow. Out of a state of society of exactly the above description, out of the middle-age chaos of sea-kings, border raids and feudal wars, the beautiful order and prosperity of modern Europe was raised by the noble hand of legal institutions. The foundation law of nations was established, that only a sovereign can lawfully authorise a war, and the sign of this sovereign authority was to be the declaration.* This document must state the grievance and the failure of peaceful efforts for redress, and is thus a further check on the wantonness of war. If without this declaration even a sovereign order an

* Blackstone, book i. ch. 7, sec. iii.

attack on a foreign state, the expedition is legally as bad as a private war of piracy, which is the act of individuals not of a state, and the penalty on all that are made prisoners is death. If the nation to which the expedition belongs support instead of punishing it, it becomes participator in the guilt, and as if it had gone regularly to war with its antagonist, every individual would have become the enemy of that state, and liable to be treated as such; so, now that it has committed piracy, every individual is a pirate, and liable to a pirate's doom. Thus neither soldiers nor civilians are at liberty to levy war when they may think proper, and princes themselves must respect the law or expose their subjects to its penalty. But this law has been broken in Affghanistan, China (three or four times), Persia, Turkey, Greece, Italy, India, Central America, and elsewhere, and in no one case has the law of England been exerted to punish what it denounces as murder, and once in certain circumstances denounced as treason.

THE DANGER OF WAGING UNLAWFUL WARS.

"Every purpose is established by counsel; and with good advice make war."
—*Prov. chap. xx.*

"The war subsists in the Declaration."—*Vattel's Law of Nations.*

"A people violating (even for their own profit) the laws of nature and nations, do but pull down the bulwarks that secure their own peace and safety."—*Grotius.*

I hope I have shown that the substantial justice of unauthorised wars cannot be accepted as a plea for their excuse. To guard, however, against misapprehension, I must explain that though I have only spoken of the illegality of our recent expeditions, I am by no means prepared to admit their justice. I am not among those who can see that the Canton Massacre was right, that the Opium "War" was unquestionable, and that the forgery by Ministers of a case against the Affghans proves that Dost Mahomed was a tool of Russia. That the Privy Council was never summoned, nor always the Sovereign herself consulted before her allies were attacked, is a strong presumption in itself that there was no case against these allies for the Queen in Council to consider, and abundant evidence establishes that we have commenced at the beginning with the very horrors that had even at the best to be dreaded as the end—the trampling upon *right* as well as upon *law*.

As among individuals every murder involves a double suicide, so it is among nations. By each piratical attack we invite the lawful retribution to which a nation becomes liable which has put itself out of the pale of law, and we also invite nations that may take no interest in this, to do to us—when they can—what we

have done to others. The Canton Massacre and Persian piracy take each a more ghastly hue, when we consider how promptly upon these invitations the blood of English families was poured out over Bengal by the disaffected and alienated Indian army.

The consequences of one nation becoming piratical may be, either that a just retribution shall be inflicted on it, and that it may be forced back for the future into respect of law, or that other nations shall catch the contagion, and lawlessness become the general character. The latter is what has happened, or is in rapid process of happening, in Europe, and the current of lawless passion having once set in, its crimson course may be traced through the following results:—

1. Multiplication of “war.” A nation having neighbours of this character is not only liable to be attacked by their *sovereign* when it has given them a just cause of war, but over and above this, it is liable to be attacked also by their *subjects*—military or civilian—when it has given the sovereigns no cause at all. But the liberty thus acquired by private individuals cannot, of course, be withheld from kings, who must have their full share of the luxury thus introduced, sometimes without any declaration of war, and at others parading in the declarations the most fictitious grievances. Comments on the effects of this on commerce, morals, and so forth, need not be introduced; your readers will not fail to perceive that such customs *must* be ruinous. Taking now in a second place the effects on a single nation, and that the one in which we have most interest, we observe that the consequences of her piracies to England are,—1. That she cannot anywhere perpetrate such deeds without injuring her trade, by destroying her customers.—2. That she wastes her resources.—3. That she multiplies her enemies, already sufficient.—4. That through all her vast Empire she becomes liable to like assaults herself.—5. That her forces may be employed in such lawless enterprises just when they are wanted for legitimate purposes. A part of the Indian army, for instance, was thus actually engaged in the secret “war” in Persia, when the mutiny broke out which the presence of these regiments at their stations might, perhaps, have prevented.—6. That she may weaken herself by being engaged in several such enterprises at once in distant parts of the world, at the very moment of a rupture with France.—7. That having encouraged France in piracy, she has so far exposed her own shores to a sudden descent, which moreover, will only be one pirate attacking another.—8. That if the servants of the Crown are to have the right of making war when they please, they will next acquire that of ending it with such a peace as they like. The country may thus be bound by the most injurious treaties—(the Declaration of Paris is an instance already, which it has not the courage to shake

off), while *no* treaty, however advantageous for us, can bind the injured state because unlawfully obtained.—9. That in the eye of the law, to levy war against the Queen's Allies with the Queen's forces, is to levy it upon the Queen. Thus the normal condition of the Queen is that of being fought against by her own army and navy, and *the Crown is in danger*.—10. *The people* are in danger, too, by the army being taught to trample upon the laws. Already, our native fellow-subjects in New Zealand have actually *had war declared against them when not in arms!*—11. If ministers can attack any State they please, *they are at liberty to become tools of foreign Powers*. Lord Palmerston, for instance, has often been accused of being an agent of Russia, and that Power has profited largely by his piratical attacks on Persia and China, by seizing from them territory which they could not defend, because their troops were engaged with ours. By far the most disastrous service, however, which he has rendered her in this sense, is the transfer to her of the Crown of Denmark, which she actually obtained out of his blockade of Athens, in 1850. On this momentous subject I will next week address you a final letter, remarking now in the twelfth and last place, that while we allow unlawful wars we cannot succeed in suppressing Intervention.

RUSSIA PROFITING BY THE UNLAWFUL WARS OF ENGLAND.

“If thou forbear to deliver them that are drawn unto death; if thou sayest, ‘Behold we knew it not;’ doth not He that pondereth the heart consider it? and shall not He render to every man according to his works?”—*Proverbs* xxiv. 11 and 12.

“Cursed be he that removeth his neighbour's landmark.”—*Moses*.

I referred in my last letter to the significant circumstance that Lord Palmerston's piratical expeditions had frequently ended in territorial advantage, not to England, but to Russia. The latter, for instance, seized the Amoor from China whilst we engaged that Power in the Opium “War,” and, though compelled again to relinquish her spoil, afterwards secured valuable acquisitions about the mouth of the river. The Chinese were on the point of driving her from these, when the bombardment of Canton called them to another task in a far distant field, and Russia again seized, and this time clenched with a Treaty, the left bank of the Amoor. Lord Elgin's expedition—which ended on the one hand with such an iniquitous punishment of the Chinese for *breaking the laws of nations in a fight with pirates*, on the other, enabled Russia to acquire a fresh and extensive territory, this time not ostensibly as a robber, but as a mediator. In the mean time the Persian invasion had furnished her with an opportunity of troubling the north of that Empire while its forces were engaged with us in

the south, and she turned it to account by seizing the province of Mazanderan—another step towards India, besides a direct injury to British trade. But it was prior to all these events, and even before the sham war against her in the Crimea, that the step was taken by Lord Palmerston which coerced the Queen into signing a Treaty which despoiled her Empire of a safeguard and her relations of a crown.

The incident in question consisted in the blockade in 1850, in time of peace, of the port of Athens, with the object of forcing the Greek Government into compliance with the extravagant demands of compensation for the losses sustained in an Athenian riot by one Don Pacifico. This outrage so incensed France that she withdrew her Ambassador, and the Russian Minister threatening to add to this embarrassment by demanding his passports, Lord Palmerston was sent to him to ask on what conditions he would remain. Baron Brunnow replied, "Sign the Danish Protocol and I will remain." The days of impeachment being gone by, a foreign kingdom was sacrificed instead of a British Minister, and that Treaty was agreed to, which was finally concluded on the 8th of May, 1852.

Before the signature of this Treaty there were twenty-four heirs to the Crown of Denmark, whose claims stood before that Danish line, of which the Chief is the occupant of the throne of Russia. The Treaty sweeps away nineteen of these, leaving but five between the autocrat and possession. In due time Russia will remove these by another treaty, or put them out of her way by the same means which has sent seven of that family already to an untimely grave.

I pause here to observe that even if Lord Palmerston is wholly innocent of the charge so long preferred of being a tool of Russia, he is so much so in *effect* that he might as well be so in *design*. And it is perfectly clear that if he, or any other Minister, can break the laws with impunity, it is optional to them to add, whenever they may think proper to do so, the service of the Czar to that of the Queen.

The Treaty thus obtained, to which it was contrived to secure the adherence of the Powers of Europe, was never a legal and valid instrument, but an engagement among conspirators to dispose of an estate over which they had no right. Besides, since it was concluded, Russia has been at war with this country, and as the Treaty was not renewed at the peace, we should be released on our part even had the engagement been valid at the commencement. The reasons for the nation exerting itself to get rid of this Treaty—wholly apart from the *crime* of maintaining it—are of a nature so cogent, that to disregard them, and let it stand, is to deserve ruin ten times over.

These reasons consist in the consequences which the union of Denmark to Russia will entail upon the whole of Europe. To begin with Sweden: She will be then nearly surrounded by Russia, who will have the advantage besides of a position on the Sound, and she will surely, perhaps quickly, have to follow the fate of Denmark. Prussia will be in as bad a position. She will have Russia on the right hand, and Russia on the left. From Holstein to Berlin, Cossack regiments can be transported in a few hours by railway, and in a couple of days spread over the whole of Germany. Not only the Eyder Canal, but the Elbe and the Weser, the sole outlets of Germany, will come under the dominion of St. Petersburg. Worse perhaps than this, the command of the Sound will enable Russia to exclude foreign men-of-war from the Baltic, converting that sea into a Russian lake, and confirming the fate of the countries, Prussia included, that are washed by its waters. Alas! for unhappy Poland, when her friends can no longer enter even the Baltic gates. Alas! for unhappy Germany, when not only is Poland lost for ever, but Prussia is helpless in the gripe of the foe, and Denmark, the Weser, and the Elbe, are Russian.

Now for England. She will have to meet in Russia a first-rate naval power, dividing with her the supremacy of the North and every other sea. The navy of Denmark will be added to that of Russia, and Danish seamen will give efficiency for the first time to the seventy-six line-of-battle ships which are already hers. *She will have a coast line over against that of Britain, and extending parallel to it, north and south from Edinburgh to Yarmouth.* She could not invade England now, because we could seal the Sound against her, *but in these altered circumstances she will command the terrible advantage of having her troops already in Denmark and her fleets in the German Ocean.* The possession of Iceland will give her a position menacing to our colony of Labrador, and she will have a position still more menacing to Scotland. The Shetland and Orkney Islands off the Scottish coast, have only been mortgaged by Denmark, and so of course are subject to a right of redemption. If Russia demands her right, she will either have these islands, or we shall at once have the benefit of her neighbourhood in a war, and learn what it is to be subject to invasion from Russia as well as from France.

Even these are not all the consequences. What does England think of falling under the protection of Russia against France?

Danger from both these Powers may be averted by the people. They must demand the destruction of the Danish Treaty, and the recovery of the Right of Search: they have no hope but in themselves.

ENEMIES' TROOPS AND AMMUNITION, NOT CONTRABAND OF WAR
WHEN BOUND FOR OUR SHORES.

SIR,—The Plenipotentiaries of the various Powers represented at the Paris Conference of 1856 went, as you are aware, beyond the object for which they had met, to enact, by a “Declaration,” the abolition of privateering, and that the goods of an enemy should be safe under a neutral flag. The sanction of the British Parliament—not hitherto given—to this astounding innovation, is to be asked in the present session, to prevent which, if possible, I beg to lay the following explanation of the nature and consequences of the second of the above provisions under the consideration of the public:—

It should, Sir, be most distinctly understood that the purpose of this arrangement is not merely to allow the neutrals to carry on *so much* of the enemy's commerce during *war* as they were *in the habit* of carrying on during *peace*. On the contrary, it is a provision for allowing *ALL* the goods of either belligerent in any war to be carried to and fro by neutrals to the exclusion and prejudice of the belligerents' *own shipping*. It is tantamount to a law that the goods of an enemy found on board his own ship shall be restored to their owner, while the vessel, and the *vessel only*, shall be retained as lawful prize. Both rules would ruin the shipping interest, and neither would ruin any other.

The exemption of neutrals from search for, and seizure of, enemies' goods they may have on board being now claimed as a natural right, it becomes indispensable to examine it in that aspect.

In the first place:—Neutrals can have no natural right to carry on the commerce of a belligerent in time of war which in time of peace he has carried on for himself. The nation from whom we have most to fear, France, has thousands of vessels of her own. If these vessels continued during war their ordinary employment, even the Declaration of Paris would allow them and their cargoes to be seized. But by this Declaration neutrals would legalise their pretended right to step in and say, “*We* will carry on *all* the trade of France for her to shield her from England. Her ships may remain safe in port, and her goods will be safe under our flag.” But the new rule, like the old one, is impartial between belligerents. Not only our enemy's, but *our own* foreign and *coasting* trade can and will be carried on safely by the neutrals. The supply of London, for instance, with coal, corn, and so forth, so far as these supplies are transported by sea, will actually pass into neutral hands. There will be an unparalleled development

of foreign shipping, while our own mercantile navy rots in port, and our hundreds of thousands of seamen starve in idleness or go and seek service abroad. Have neutrals, Sir, *a right* to produce a situation like this?

Secondly:—Neutrals never had a right to break a declared and effective blockade. In spite of the clause relating to blockades paraded in the Declaration of Paris, the right of blockade goes with the right of search. A neutral will pronounce it mockery and equally illogical and unjust to admit his right to trade for the enemy, and then withhold his right to finish the last mile of his voyage by entering his destined port. It was partly because BLOCKADED forts would be supplied and victualled by neutrals if the Right of Search was gone, that PITT maintained it against the second Armed Neutrality. If, however, as Mr. COBDEN has said, blockade, in its effects, is gone already, because railways enable one State to use the ports of another, the Right of Search is, then, our *only* means of injuring a hostile trade, even if blockade be still allowed us. I may remark here that this virtual increase of an enemy's coast and ports, demanding, on our part, a larger rather than a lesser navy, renders the retention of privateering imperative and indispensable.

Thirdly:—Neutrals cannot have a right to be protectors of enemy's property at sea if they have it not also upon land. I am not aware that any man claims for the neutral the right to keep from a belligerent in the enemy's territory, enemies' property which otherwise he would have a right to take.

In the last place, this natural right, while claimed, is contradicted. Even the new rule is only that "the neutral flag covers enemies' goods *with the exception of contraband of war.*" As any neutral may have contraband of war on board (provided it is steering for the enemy's ports), any flag may still be violated by visit and search, and goods of this description taken from under it. At the same time it rests in great measure with each particular State to say what it will regard as contraband of war!

Thus, it will be seen that these pretended rights of neutrals are simply an attack on the rights of belligerents. The question here presents itself, Who and what are neutrals? To which the simple answer must be given—"A neutral is a Power which *happens* to be at peace when two other Powers are at war." There are no such things as *permanent* neutral Powers, and therefore there is no such thing as a Power with permanent neutral interests and rights. The neutral of to-day is the belligerent of to-morrow. Any interference with belligerent rights for the sake merely of *his* convenience while he is at peace, is sure to recoil upon his head at some future time when he is himself struggling for exist-

ence or contending for mastery. Whence, then, the recent movement for neutral rights? It is not to be explained by the interests of the carrying trade: there remains but the other explanation, that it is a blow at somebody's maritime power.

I here beg to avow my own conviction that at the bottom of the whole business are the insidious intrigues of Russia, who, occupying now the terrible vantage-ground of being able to strike at England's power with England's own hand, finds another Armed Neutrality a superfluous aid.

Thus much, Sir, for the Declaration of Paris and the rights of neutrals. It is clear that if all property of enemies, with the exception of ships, went free at sea, the next step would be to exempt these two from capture. However startling it may seem, not only Mr. COBDEN, but Lord PALMERSTON, proposed this astounding step so long since as 1856. Mr. COBDEN's argument being that in time of war with France or America, the shipping interest would be ruined by the competition of neutrals, now that goods on board these last were exempt from seizure.

Either Lord CLARENDON's "capitulation" or Mr. COBDEN's amendment will be ruinous; the difference between them is hardly worth the having. It must be distinctly noted that they are contrary to all the great principles and maxims that have commanded acceptance and moulded the conduct of the country in all times previous to 1854. They are contrary to the maxim that preparation for war is the best guarantee of peace. *England can never be prepared for war when deprived of the power of seizing her enemies' goods.* They are equally contrary to the plan of preventing war by enlarging that commerce which war will destroy, for they propose that commerce shall cease to be destroyed by war. *Trade will go on between the belligerents themselves.* We shall render aid and comfort to the QUEEN's enemies everywhere, in spite of all antiquated notions about treason. Away with all national, loyal, and patriotic fervour! Stupid words! The QUEEN's cause will not be ours; the QUEEN's enemies will not be ours. The nation will hardly have anything to do with the matter. We shall find men, certainly, for one side, but *we shall find money for both!* Why not find *men* for both? And *loans* too? To complete the picture, your readers must remember what some at least of the advocates for sparing enemies' ships have told us, that private property is spared *on land* in time of war, only this does not happen to be true. Sundry bombardments of seaports and sacking of cities will, perhaps, occur readily to the reader's recollection, and that even without war. These principles are further destructive of the cherished object of shortening the duration of war, because, the belligerent's commerce being untouched, their revenues, so far

as this source is concerned, will enable the war to hold out, as long as men can be found on both sides, to be food for powder. They are also utterly subversive of all plans for promoting the amelioration of the condition of mankind by the moral influence of England. The influence of England falls with her power, and the theatre of her power is the sea. On the open sea there are no houses or warehouses but merchantmen, no goods but such as are on board merchantmen, no people except on board merchantmen. When men-of-war are not wanted to protect these, they can stay, like those of Russia, behind the fortresses of their harbours. When Government ships cannot be found, and private ones cannot be taken, where then is England? When every rich cargo and every despicable craft, that would have been made prize in former wars, can pass without convoy and without danger her hostile fleets, England's greatest means of coercing her enemies, or assisting her friends, is sunk under the waves she used to rule: her fleets will be the laughing-stock of the world, and a useless expense to herself, until they are able to sail over the land.

This, however, is only half, and not the worst half as regards England. The final object of the measure, and the stroke at *her* power, become evident when we consider what will be the consequence of the new plan in a war with France. If the plain truth were told, it would be that it is the suppression of the Right of Search, and *not* the introduction of steam navigation, that has caused the sudden exposure of the country to invasion. Vain is the objection urged by some that we still have a powerful navy, and, therefore, can still defend ourselves at sea. The METHOD of our defence is annihilated when our fleets can attack nothing but the armed vessels of the enemy, which, left to take their own time to come out of port, may give us for months all the horrors of a suspended invasion, to be successfully followed by an actual one at last. How has this large and naked island been for so many ages saved from the devastations that have periodically swept over every other State that has not possessed the disadvantage of having all its frontiers made accessible by the sea? It is that by attacking the trade of our enemy we were enabled to find his fleets employment in defending it instead of coming in force to our coasts, to destroy them while they were thus engaged, and by the same means to cripple his prosperity and his resources for carrying on the war. This faculty of interfering with commerce, departing at once from ourselves and OUR ANTAGONIST, the consequences are, that as our enemy has no chance left of hurting *our* trade, only our shores remain for him to attack; that his fleets, not being required for the defence of his *own* trade, are perfectly available to attack our shores; that while the war goes

on he will be saved from discontent among his subjects, and he will be more ready to enter upon it at the first, because he has nothing to fear from us.

This is, moreover, a question of manning our navy, for we have it on the authority of Lord DUNDONALD that when prize-money can no longer be expected, seamen may no longer be forthcoming.

Further still, as warlike materials are only contraband of war when being carried from neutral to *enemy's* ports; even his own property of this description, if we cannot seize it at sea, may be taken to a *neutral* port with which he has communication by railway. While a consequence more serious than whimsical, flowing from the same principle respecting Contraband, is, that if a hostile force embarked on board neutral ships for *our* ports, it could not be touched at sea, on the ground that either arms or ammunition, men or horses, were contraband of war.

The interests that are to be satisfied by the destruction of our Maritime Power, have made an attempt no less audacious than to convince us that it is our interest also. Everybody considered that a war with the United States would be ruinous, not on account of what they *would* do, but of what they would *not*. The consequence of that reflection was a disposition to keep at peace with them; nobody was so silly as to say we should have no commerce with America. But now, Sir, we are actually lectured on the importance of destroying *our* Maritime Power against *everybody*, merely for the sake of destroying that of America against *us*. It is no doubt vexatious to be injured in our foreign intercourse, *but it is the feeling which the anticipation of this injury from us excites abroad, that makes our power respected, our enemies quiet, and our country great.* If we destroy our power to inflict this injury we destroy ourselves, and the ruin we shall suffer will be a fitting compensation for this last great betrayal of what is after all a universal trust. For if, for the future, wars can be confined to the sacrifice of men, they will multiply in number, and augment in duration, and perhaps far more than that, bloodiness will return, which the invention of gunpowder was supposed to have done away. To save the world from this dire calamity, and from the universal corruption which the new doctrines would engender in every human breast, is now the glorious mission offered by Providence to private men.

Shall it be a matter of history after the present year, that because Lord CLARENDON gave away our Maritime Rights without authority, and because Lord PALMERSTON gave his sanction to the act, the country, to indemnify them both,

broke its trident, sacrificed its costly navy, parted from all the great names of Admirals and Statesmen that glitter through its naval history, and fell from the position of first in the foremost rank, down to that contemptible place to which it is entitled by its merely military power?

I have the honour, Sir, to remain,

Your most obedient servant,

A. SMITH.

The Editor of the *Nottingham Daily Guardian*,
February 17, 1862.

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